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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. 3:22-CR-00390-RS
	)	
Plaintiff,	)	STIPULATION AND ORDER TO CONTINUE
	)	MATTER AND EXCLUDE TIME FROM
v.	)	OCTOBER 10, 2023 TO NOVEMBER 21, 2023
	)	
HEVER SUAREZ,	)	
	)	
Defendant.	)	

It is hereby stipulated by and between counsel for the United States and counsel for the defendant Hever Suarez, that the matter be continued to November 21, 2023 and time be excluded under the Speedy Trial Act from October 10, 2023 through November 21, 2023.

A status hearing was last held in this case on August 22, 2023. *See* Dkt. 128. At that hearing, the Court granted the parties' joint request to continue the matter to October 10, 2023. As the parties discussed on the record, the August 22, 2023 status conference was undersigned defense counsel's first appearance in district court on this matter as he recently took over as attorney of record for Mr. Suarez. The government has recently finalized producing all of the discovery to defense counsel and provided a draft plea agreement. As a result, defense counsel needs time to review all of the discovery, which is

STIPULATION AND ORDER TO CONTINUE HEARING AND EXCLUDE TIME FROM  
OCTOBER 10, 2023, TO NOVEMBER 21, 2023 [Case No. 3:22-cr-00390-RS]

1 voluminous, and confer with Mr. Suarez about case outcomes.

2 For these reasons, the parties stipulate and agree that the currently set October 10, 2023 court  
3 date will not be fruitful. The parties are therefore requesting the matter be continued to November 21,  
4 2023 and time be excluded to November 21, 2023 to allow for the effective preparation of counsel. *See*  
5 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by  
6 excluding the time from October 10, 2023 through November 21, 2023, from computation under the  
7 Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.  
8 § 3161(h)(7)(A), (B)(iv).

9 The undersigned Assistant United States Attorney certifies that he has obtained approval from  
10 counsel for the defendant to file this stipulation and proposed order.

11  
12 IT IS SO STIPULATED.

13  
14 DATED: October 4, 2023

\_\_\_\_\_  
/s/  
CHARLIE BISESTO  
Assistant United States Attorney

15  
16 DATED: October 4, 2023

\_\_\_\_\_  
/s/  
EDWIN PRATHER  
Counsel for Defendant Hever Suarez

**ORDER**

Based upon the facts set forth in the stipulation of the parties, and for good cause shown, the Court finds that failing to exclude the time from October 10, 2023, through November 21, 2023, would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from October 10, 2023 to November 21, 2023 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from October 10, 2023 through November 21, 2023 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv). IT IS FURTHER ORDERED that the matter be continued to November 21, 2023 for a status conference.

IT IS SO ORDERED.

DATED: 10/4/2023



HON. RICHARD SEEBORG  
United States Chief District Judge